

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

DENNIS FRIEDT,

Petitioner,

vs.

STATE OF MONTANA,

Respondent.

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DENNIS FRIEDT,

Petitioner,

vs.

SUSAN KLOOS, et al.,

Respondents.

Cause Nos. CV 21-06-BLG-SPW  
CV-21-057-BLG-SPW-TJC

ORDER

These matters come before the Court on Plaintiff Dennis Friedt's civil rights complaints filed pursuant to 42 U.S.C. § 1983. Friedt is a state prisoner proceeding pro se.

On May 24, 2021, Friedt file a Motion to Dismiss in Cause No. CV-21-06-BLG-SPW. See, (Doc. 13.) Friedt explains he is seeking voluntary dismissal so that he may focus on his federal habeas petition,<sup>1</sup> in addition to matters he

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<sup>1</sup> Mr. Friedt does have an active habeas corpus petition pending. See, *Friedt v. Bludworth et al.*,

currently has pending in the state courts. *Id.* at 1-3. Mr. Friedt also indicates his intention to dismiss “all the 42 U.S.C. § 1983 lawsuits” pending before this Court, including the “Shelby Prison” case which he “just applied for.” *Id.* at 1, 3. Thus, it appears Mr. Friedt is referencing his recently filed § 1983 complaint in *Friedt v. Kloos, et al.*, Cause No. CV-21-57-BLG-SPW-TJC (filed May 11, 2021).

Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides an avenue for voluntary dismissal. Accordingly, Friedt’s Motion to Dismiss his pending §1983 complaints (Doc. 13) is GRANTED. Both of the above-referenced matters are **DISMISSED without prejudice** pursuant to Fed. R. Civ. P. 41(a)(1)(B). The Clerk of Court is directed to close both cases.

DATED this 25<sup>th</sup> day of May, 2021.

/s/ Susan P. Watters  
Susan P. Watters  
United States District Court Judge

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Cause No. CV-21-48-BLG-SPW-TJC, Pet. (filed May 4, 2021).